

### **REMARKS**

Reconsideration of the present application is respectfully requested. No claims have been amended. Claims 1 – 35 are currently pending.

#### **Rejections based on 35 U.S.C. § 102 and § 103**

Claims 1 – 12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Anderson, *et al.*, U.S. Patent No. 6,914,625 (“Anderson”). Claims 13 – 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson, in view of Li, *et al.*, U.S. Patent No. 5,802,383 (“Li”). Applicants respectfully traverse the pending rejections.

Each of the pending claims requires an indicator showing which groups contain items currently visible to the user. For instance, independent claim 15 recites “a table of contents area which displays a listing of said groups and which further displays an indicator showing which of said groups contain one or more items currently visible in said item presentation area, said table of contents area further displaying volume information for each of the groups in said listing, wherein said volume information is presented within the listing.” Similar claim language is also found in the other independent claims, claims 1 and 28. Applicants respectfully submit that neither Anderson nor Li, either alone or in combination, teaches this aspect of the claimed invention.

To teach the “table of contents” interface, the Office Action relies on the combination of two separate interfaces. **Neither of these interfaces indicates “which of said groups contain one or more items [that are] currently visible in said item presentation area, as required by the claims.** The first interface is taught by Anderson. With respect to Anderson, the Office Action cites column 9, lines 16 – 26, which reads:

Once images are displayed on the camera 110, the user may change which images are displayed by changing the category currently displayed. In a preferred embodiment, the user may instruct the camera to display a menu of category names on the camera's GUI and then select a particular category name using the user interface of the camera 110. Once a particular category is selected, those images indexed in the category list 1110 under the selected category are displayed. If the user selects more than one category, only the image files that include all the selected categories are displayed.

(emphasis added). As set forth by this citation, the user is initially displayed a “menu of category names.” The user may then select one of the categories. Only once “a particular category is selected, those images indexed in the category list 1110 under the selected category are displayed.” Thus, when the “menu” is displayed, there are no items currently visible in a item presentation area.

The second interface relied upon by the Office Action also does not indicate which groups have items currently visible to the user. For the second interface, the Office Action cites Li at column 2, lines 24 – 31, which reads:

In accordance with another aspect of the invention, the nodes are each assigned to one of a plurality of groups. An icon is displayed for each of the groups and the shape and appearance of each icon indicates the size of the corresponding group. The base value may be selected by the preference of the user or according to predetermined criteria such as the size of the largest group of nodes, the size of the smallest group of nodes or the distribution of the sizes of the groups.

(emphasis added). With this interface, an icon represents a group of items, and the icon is sized in a manner that indicates the size of the corresponding group. By relying on icons, it is clear that Li’s interface does not teach displaying the actual items along with the sized-icons.

In contrast, the independent claims each require displaying “an indicator showing which of said groups contain one or more items currently visible in said item presentation area.” Clearly, neither of the references teach the claimed indicator. In fact, both the cited interfaces

are devoid of any “currently visible” items, let alone an indicated reflecting which groups contain such “currently visible” items. For instance, Anderson merely teaches a menu from which the user may select a group to be displayed, while Li teaches displaying an icon that represents some group of items. Because both prior art references fail to teach “indicating on said display which of said groups contain one or more items currently visible to the user,” Applicants respectfully submit that independent claims 1, 15 and 28 are in condition for allowance.

Applicants also submit that dependent claims 2-14, which depend from claim 1, are in condition for allowance for at least the same reasons discussed above with respect to claim 1. Applicants also submit that dependent claims 16-27, which depend from claim 15, are in condition for allowance for at least the same reasons discussed above with respect to claim 15. Applicants also submit that dependent claims 29-35, which depend from claim 28, are in condition for allowance for at least the same reasons discussed above with respect to claim 28.

**Conclusion**

For the reasons stated above, claims 1 – 35 are in condition for allowance. If any issues remain which would prevent issuance of this application, the Examiner is urged to contact the undersigned prior to issuing a subsequent action. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112.

Respectfully submitted,

***/Robert H. Reckers/***

Robert H. Reckers  
Reg. No. 54,633

SHOOK, HARDY & BACON L.L.P.  
2555 Grand Boulevard  
Kansas City, Missouri 64108  
Phone: 816/474-6550  
Fax: 816-421-5547